

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2805 - SB 2717**

March 10, 2022

**SUMMARY OF BILL:** Creates a pilot program that authorizes a court to retain jurisdiction over a delinquent child until their 25<sup>th</sup> birthday if best suited for the child's treatment, rehabilitation, and welfare.

Authorizes the court to impose a sentence upon the child that could be imposed if the offense was committed by an adult. Requires any portion of the disposition imposed that extends prior to the child's 25<sup>th</sup> birthday be stayed pending completion of requirements set forth by the court at the time of disposition.

Authorizes the program to be implemented in any county upon the adoption of an authorizing resolution by a two-thirds majority vote of the county legislative body. Requires the program be paid for by local or grant funding.

Requires any county that approves the pilot program to submit an annual report to the Chairs of the Senate Judiciary Committee and the Criminal Justice Committee of the House of Representatives detailing outlined information regarding the program.

**FISCAL IMPACT:**

**Other Fiscal Impact – Due to multiple unknown factors, the extent and timing of any permissive increase in local expenditures cannot reasonably be determined.**

**Assumptions:**

- Pursuant to Tenn. Code Ann. § 37-1-134(d), a juvenile court has jurisdiction over offenses alleged to have been committed prior to a person's 18<sup>th</sup> birthday.
- Pursuant to Tenn. Code Ann. § 37-1-102(b)(5), a person under 19 years of age is authorized to remain under the continuing jurisdiction of the juvenile court for limited purposes.
- The proposed legislation authorizes adult sentences to be imposed on juveniles and suspended until their 25<sup>th</sup> birthday pending the completion of the pilot program. Further, the proposed legislation authorizes a juvenile court to retain jurisdiction over a juvenile offender while participating in the pilot program.
- For any county who opts to create a pilot program, there will be a permissive recurring increase in local expenditures if grant funding is not secured; however, the extent of

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such permissive increase will be dependent upon the number of participants a court orders to participate in a pilot program and where the child is placed while participating in the pilot program.

- Due to multiple unknown factors, the extent and timing of any permissive increase in local expenditures cannot reasonably be determined.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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